Docket No.: 42390P11447

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ROBERT J. ROYER, JR.

Application No.: 09/895,578

Filed: June 29, 2001

For: **PARTITIONING CACHE METADATA**

STATE

Art Group: 2188

Examiner: PORTKA, G.

RECEIVED

SEP 2 0 2004

Technology Center 2100

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

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The references were cited in a Search Report dated March 12, 2004 (copy enclosed herewith) in a counterpart PCT application.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOGE ZAYNOR & ZAFMAN LLP

Gregory D. Caldwell, Reg. No. 39,926

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (503) 439-8778

Date: September 13, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

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Date

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SER 1 7 2004 Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known					
Application Number .	09/895,578				
Filing Date	June 29, 2001				
First Named Inventor	Robert J. Royer, Jr.				
Art Unit	2188				
Examiner Name	PORTKA, G.				
Attorney Docket Number	42390P11447				

U.S. PATENT DOCUMENTS							
Examiner Cito		Document Number Number - Kind Code ² (if known)	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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FOREIGN PATENT DOCUMENTS							
Examiner	Cite	Foreign Patent Document			Pages, Columns, Lines,		
Initials*	No.1	Country Code - Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear		
		GB 2210480	06-07-1989	VAN LOO et al			
					A CONTRACT OF THE CONTRACT OF		

Examiner	Date	
Signature	Considered	

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.

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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

^{&#}x27;Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible applicant is to place a check mark here if English language Translation is attached.

A FIGURE	•								
RAUCH			Application No.	09/89	95,578				
TRANSMITTAL FORM (to be used for all correspondence after initial filing)			Filing Date	June	29, 2001				
			First Named Inventor	Robe	Robert J. Royer, Jr.				
				Art Unit	2188		RECEIVE		
				Examiner Name	POR	TKA, G.			
Total Number of I	Pages in Th	is Submissi	on	Attorney Docket Numbe	4239	0P11447	SEP 2 0 200		
		ENCLOS	SURES (chec	k all that apply)			echnology Center 2		
Fee Transmittal	Form		Drawing(s)	After Allowance Communication Group					
Fee Attac	ched		Licensing-	related Papers		Appeal Comm of Appeals and	unication to Board d Interferences		
Amendment / R	esponse		Petition .			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Fina Affidavits	al /declaration	(s)	Petition to Convert a Provisional Application			Proprietary Information			
Extension of Tir	ne Request		Power of Attorney, Revocation Change of Correspondence Address			Status Letter			
Express Abandonment Request			Terminal Disclaimer			Other Enclosure(s) (please identify below): Copy of 1 Cited ref. Copy of PCT written opinion return postcard			
Information Disclosure Statement PTO/SB/08			Request for Refund CD, Number of CD(s)						
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Response to Missing Parts/ Incomplete Application Basic Filing Fee Declaration/POA			Remarks		<u> </u>	- Vice Table			
Parts und 1.52 or 1.	e to Missing der 37 CFR .53								
	SI	GNATURE	OF APPLICA	NT, ATTORNEY, OR A	GENT				
Firm or	Grego	ry D. Calo	dwell, Reg. No	o. 39,926			(
Individual name	r						•		
Signature									
Date September 13, 2004									
	<u></u>	CERTIFI	CATE OF MAII	ING/TRANSMISSION					
I hereby certify that th sufficient postage as 22313-1450.	nis correspon first class m	ndence is be	eing deposited wi	th the United States Post to: Commissioner for Pa	al Servic ents, P.	ce on the date s O. Box 1450, A	shown below with Alexandria, VA		
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Signature		<u></u>	· •	Ţ	Data	Senten	pher 13 2004		

Based on PTO/SB/21 (04-04) as modified by Blakely, Splokoff, Taylor & Zafman (wlr) 06/04/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

CONTRACTOR TO A NICHAITTAI		Complete if Known					
WARREE TRANSMITTAL	P	Application Number			09/895,578		
for FY 2004	F	Filing Date			June 29, 2001		
Effective 01/01/2004. Patent fees are subject to annual revision.	F	First Named Inven			Robert J. Royer, Jr.		
		Examiner Name			PORTKA, G.		
Applicant claims small entity status. See 37 CFR 1.27.	1	Art Unit			2188		
TOTAL AMOUNT OF PAYMENT (\$) 180.		Attorney D	ocket	No	42390P11447		
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Account Number 02-2666	1051	130	2051	65	Surcharge - late filing fee or Tachnology Center 2100		
	1052	1	2052	25	Surcharge - late provisional filing fee or		
Deposit Account Blakely, Sokoloff, Taylor & Zafman LLP		1			cover sheet.		
Name Blakely, Sokoloff, Taylor & Zaffian EBI	2053		2053	130	Non-English specification		
The Commissioner is authorized to: (check all that apply)	1812				For filing a request for ex parte reexamination		
Charge fee(s) indicated below Credit any overpayments	1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action		
Charge any additional foots) or undernayment of fees as required under 37		4 9 4 9 4	1005	1 040 *	Requesting publication of SIR after		
CFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840*	1805	1,040	Examiner action		
Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account	1251	110	2251	55	Extension for reply within first month		
				210	Extension for reply within second month		
FEE CALCULATION	1252		2252		Extension for reply within third month		
1. BASIC FILING FEE	1253		2253	475			
Large Entity Small Entity	1254	1,480	2254	740	Extension for reply within fourth month		
Fee Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1255	5 2,010	2255	1,005	Extension for reply within fifth month		
	1404	330	2401	165	Notice of Appeal		
1001 770 2001 385 Utility filing fee	1402	330	2402	165	Filing a brief in support of an appeal		
1002 340 2002 170 Design filing fee	1403	3 290	2403	145	Request for oral hearing		
1003 530 2003 265 Plant filing fee	1451	1,510	2451	1,510	Petition to institute a public use proceeding		
1004 770 2004 385 Reissue filing fee	1452		2452	55	Petilion to revive - unavoidable		
1005 160 2005 80 Provisional filing fee	1453		2453	665	Petition to revive - unintentional		
SUBTOTAL (1) (\$)				665	Utility issue fee (or reissue)		
	150 ⁴		2501 2502	240	Design issue fee		
2. EXTRA CLAIM FEES _{Extra} Fee from			2502	320	Plant issue fee		
Claims below Fee Paid Total Claims = = = = = = = = = = = = = = = = =	1503	Α			·		
Independent - 38* = X	1460		2460	130	Petitions to the Commissioner		
Claims 8 X	1807	7 50	1807	50	Processing fee under 37 CFR 1.17(q)		
Multiple Dependent =	1800	6 180	1806	180	Submission of Information Disclosure Stmt 180.00		
Large Entity Small Entity	802	1 40	8021	40	Recording each patent assignment per property (times number of properties)		
Fee Fee Fee Fee <u>Fee Description</u>	l						
Code (\$) Code (\$)	180	9 770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1202 18 2202 9 Claims in excess of 20	40.	0 770	2040	205	For each additional invention to be		
1201 86 2201 43 Independent claims in excess of 3	181	0 770	2810	383	examined (37 CFR § 1.129(b))		
1203 290 2203 145 Multiple Dependent claim, if not paid	180	1 770	2801	385	- If a first description (BCE)		
1204 · 86 2204 43 **Reissue independent claims over original patent			1802	900	No. 1 annualization		
	180			900	of a design application		
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent	Other	fee (specify)		_			
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SUBTOTAL (2) (\$)	*Reduc	oed by Basic Filin	ng Fee Pa	iid	SUBTOTAL (3) (\$) 180.00		
"or number previously paid, if greater, For Reissues, see below							
SUBMITTED BY	В				Complete (if applicable)		
		Registrati (Attorpey/Ag	on No	. [39,926 Telephone (503) 439-8778		
Name (Print/Type) Gregory D. Caldwell	′ /	(Attorney/Ag	ent)	1 .	32,240		

Based on PTO/SB/17 (10-03) as modified by Blakely, Solokoff, Taylor of Zafman (wir) 02/10/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature

Date

09/13/04

Complete if Known